

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James Martin, et al

Serial No.: 10/530,695

Filed: October 13, 2003

For: METHOD AND APPARATUS FOR
POSITIONING OF SEISMIC CABLES

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: 2088.001400/14.0223

**REQUEST FOR RECONSIDERATION
OF DECISION ON PETITION UNDER 37 C.F.R. 1.47**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the “Decision On Petition Under 37 C.F.R. 1.47(a)” dated 8 July, 2008, the Office refused Applicants’ petition under 37 C.F.R. §1.47(a) (“the Petition”). The decision noted that all requirements were satisfied except item (2) of 37 CFR 1.47(a) was not satisfied.

A. Item (2) of 37 CFR 1.47(a)

In the decision dated 8 July 2008, denying the petition, the Office appears to reason that all documents were delivered to the non-signing inventor on 06 February 2006 in Norway and the petition was filed in Houston, TX on 13 February 2006 which did not provide Mr. Tjoem enough time to respond even though there were plenty evidence showing that Mr. Tjoem had no intension to respond at all.

To expedite the petition process, Applicants carried out the mailing/waiting process again. As indicated by the declaration of Applicants’ current IP administrator Ms. Leslie Goldsmith, the current patent application including specification, claims, abstract and drawings,

together with the inventor declaration and assignment were delivered to Mr. Tjoem's last known email address and postal address. There are indications that the application packets were both successfully delivered to Mr. Tjoem on 18 July, 2008 via email and 21 July, 2008 via FedEx respectively. Had Mr. Tjoem be willing to cooperate, he could have re-read the patent application, signed the declaration and sent the declaration with his signature via pre-paid pre-addressed return Federal Express envelope to us, and we should have received his signature. It has been more than 30 days since the application packets were delivered and we have heard nothing from him, as expected.

Applicants believe that this evidence, i.e. Ms. Goldsmith's declaration and documentations, shows that Mr. Tjoem refuses to sign the inventor's declaration. Item (2) of 37 CFR 1.47(a) is thus satisfied.

Applicants therefore request reconsideration of the petition. Applicants respectfully submit that the all requirements for the Petition are met and that the showing was sufficient for its grant. However, Applicants herein cure the supposed deficiencies raised by the Office. Accordingly, Applicants pray that the Petition be granted.

Respectfully submitted,

Date: 8/22/2008

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